

**Enrolled Minutes of the One hundred fifth Regular or Special Meeting  
For the Twenty-Eighth Highland Town Council  
Regular Plenary Meeting  
Monday, December 09, 2019**

The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, December 09, 2019 at 6:37 O'clock P.M. in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Pursuant to HMC Section 2.05.130(A)(2), the Town Council considered and reviewed the agenda in an informal proceeding conducted in the anteroom to the plenary meeting room. Once completed the Town Council moved to the plenary meeting room.

The Town Council President, Steve Wagner presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Bernie Zemen reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

**Roll Call:** Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, Konnie Kuiper and Steve Wagner. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**Additional Officials Present:** Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter T. Hojnicky, Police Chief; Alex M. Brown, CPRP, Superintendent of Parks and Recreation; William R. Timmer, Jr., CFOD, Fire Chief; Kathy DeGuilio-Fox, Redevelopment Director; Mark Kneseck, Operations Director; and Kenneth J. Mika, Building were present.

*Also present:* Larry Kondrat of the Board of Waterworks Directors; James Slagle, Town of Metropolitan Police Commissioners; and Ed Dabrowski, IT Director (Contract); were also present.

*Guests:* Theresa Badovich of the Idea Factory was also present.

**Minutes of the Previous Meetings:** The minutes of the regular meeting of 25 November 2019 and the Special Meeting of December 2, 2019 were approved by general consent.

**Staff Reports:** The following staff reports were received and filed.

**• Building & Inspection Report for November 2019**

Permit Type	Number	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	2	0	2	\$475,658.00	\$7,730.50
Signs:	1	0	1	\$10,326.00	\$458.00
Single Family:	1	1	0	\$189,000.00	\$3,039.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	70	70	0	\$654,940.00	\$13,219.00
Garages:	1	1	0	\$23,786.00	\$599.00

Sheds:	1	1	0	\$3,294.00	\$215.50
Decks & Porches:	3	3	0	\$16,750.00	\$874.50
Fences:	6	6	0	\$27,363.00	\$912.00
Swimming Pools:	0	0	0	\$0.00	\$0.00
DrainTile/ Waterproofing:	5	5	0	\$51,538.00	\$1,244.00
Miscellaneous	6	0	6	\$0.00	\$891.00
<b>TOTAL:</b>	<b>96</b>	<b>87</b>	<b>9</b>	<b>\$1,452,655.00</b>	<b>\$29,183.00</b>
<b>Electrical Permits</b>	<b>21</b>	<b>17</b>	<b>4</b>		<b>\$2,401.00</b>
<b>Mechanical Permits</b>	<b>15</b>	<b>13</b>	<b>2</b>		<b>\$1,555.00</b>
<b>Plumbing Permits</b>	<b>15</b>	<b>11</b>	<b>4</b>		<b>\$2,220.45</b>
<b>Water Meters</b>	<b>2</b>	<b>2</b>	<b>0</b>		<b>\$1,135.00</b>
<b>Water Taps</b>	<b>1</b>	<b>1</b>	<b>0</b>		<b>\$200.00</b>
<b>Sewer/Storm Taps</b>	<b>1</b>	<b>1</b>	<b>0</b>		<b>\$300.00</b>
<b>TOTAL Plumbing:</b>	<b>19</b>	<b>15</b>	<b>4</b>		<b>\$3,855.45</b>

**November Code Enforcement:**

Investigations: 50  
Citations: 02  
Warnings: 50

**November Inspections:**

Building: 39    Electrical: 30    Plumbing: 18    HVAC: 19  
Electrical Exams: 4

• **Fire Department Report for November 2019**

Type of Call	Month	2nd half of year	
General Alarms	06	67	
Paid Still Alarms	32	175	
Still Alarms	05	14	
<b>Total Alarms:</b>	<b>43</b>	<b>256</b>	<b>535 year</b>

• **Workplace Safety Report for November 2019**

There were no workplace incidents to report in November. The following report was filed.

Department	Injuries this Month	Year to Date 2019	Total in 2018	Restricted Days 2019	Lost Workdays This Year (2019)	Restricted Days Last Year (2018)	Lost Workdays Last Year (2018)
Parks	0	0	4	0	0	0	0
Fire	0	1	0	0	0	0	0
Police	0	3	3	0	0	0	0

Street	0	1	2	0	0	0	0
Water & Sewer	0	3	4	0	0	80	46
Maint.	0	1	1	14	2	0	0
Other	0	0	0	0	0	0	0
<b>TOTALS</b>	<b>0</b>	<b>9</b>	<b>14</b>	<b>14</b>	<b>2</b>	<b>80</b>	<b>46</b>

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

**Unfinished Business and General Orders:**

- 1. Introduced Ordinance No. 1710:** An Ordinance of the Town of Highland Amending Chapter 5.20 of the Municipal Code Entitled "Licensing of Building Contractors." Councilor Vassar introduced and moved the consideration of Ordinance No. 1710 at the same meeting of its introduction. Councilor Herak seconded. Upon a roll call vote, a unanimous vote being necessary, Councilors Vassar, Herak and Wagner voted in the affirmative. Councilor Zemen voted in the negative. A unanimous vote not being attained, the ordinance could not be considered at the same meeting of its introduction. The motion is only dispositive on the matter of consideration at the same meeting of introduction. At this meeting *only* a majority is needed to pass and adopt, all pursuant to IC 36-5-2-9.6.

Councilor Zemen moved to pass and adopt Ordinance No. 1710. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted.

**TOWN OF HIGHLAND  
 ORDINANCE NO. 1710**

Town of Highland, Lake County, Indiana

**An Ordinance of the Town of Highland Amending Chapter 5.20 of the Municipal Code Entitled "Licensing of Building Contractors"**

**WHEREAS,** The Town Council of the Town of Highland, Lake County, Indiana, has reviewed the Municipal Code relating to Contractor's Licensing; and

**WHEREAS,** The Town Council of the Town of Highland, Lake County, Indiana, has determined that additions are required to the Municipal Code in order to prevent contractor tax fraud and to set forth conditions for obtaining and retaining a contractor's license; and

**WHEREAS,** The Town Council of the Town of Highland, Lake County, Indiana, having reviewed the relevant Municipal Code sections and all applicable laws, now finds that it is advisable, necessary, and in the best interests of the residents of the Town of Highland that an amendment be made to the Municipal Code to prevent contractor tax fraud.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA:**

**Section 1.** That the Chapter 5.20 be amended by adding a new section to be styled as 5.20.053, which shall read as follows:

**5.20.053. Minimum Mandatory Conditions. (A)** In addition to any other conditions that may be required in connection with the issuance of contractor licenses under this Municipal Code, each contractor's license issued in connection with the construction, reconstruction, installation, demolition, maintenance, or repair of any commercial building estimated to cost \$250,000.00 or more or in connection with a residential building with

five (5) or more units shall be subject to and shall include the following set of mandatory permit conditions and qualifications:

1. It is a mandatory and material requirement for the issuance and retention of a contractor's license that any construction manager, general contractor, or other lead or prime contractor, or any entity functioning in any such capacity, and any lead or prime contractor or subcontractor of any tier or other person or entity that is engaged to perform construction work on the property that is the subject of a contractor's license (hereinafter, collectively and individually referred to as "contractor") shall comply with these qualifications and conditions at all times during their performance of work on the project;
2. The contractor shall not have been debarred or suspended from performing construction work by any federal state, or local government agency or authority in the three years immediately preceding the application for a contractor's license;
3. The contractor shall not have been found within the past three (3) years by a court or governmental agency in violation of any law relating to providing workers compensation insurance coverage misclassification of employees as independent contractors, payment of employer payroll taxes, employee income tax withholding, wage and hour laws, prompt payment law, or prevailing wage laws;
4. The contractor shall maintain appropriate worker's compensation insurance as required by I.C. § 22-3-5 *et seq.* and provide documentary proof of such coverage to the Building Commissioner or his/her designee to be maintained as a public record;
5. The contractor shall properly classify all employees as employees rather than independent contractors and comply with all laws accordingly for the purposes of minimum wages and overtime, worker's compensation insurance coverage, unemployment taxes, social security taxes, and federal income tax withholding;
6. The contractor shall maintain detailed payroll records and provide said records to the Building Commissioner or his/her designee within five (5) days of a request for the same;
7. The contractor shall comply with I.C. § 22-2 *et seq.*, with respect to the payment of wages; and
8. The contractor shall pay all required contributions to the unemployment insurance benefit fund established by I.C. § 22-4-26-1.

(B) In the event any person or entity that is subject to the foregoing conditions and qualifications fails to comply with any of the qualifications and conditions with respect to the project for which the contractor's license was issued, the Permit shall be deemed, by operation of law, temporarily suspended and all construction work on the entire project shall cease immediately upon issuance of a stop work order by the Building Commissioner and or his/her designee until further notice by him/her.

(C) The applicant for the contractor's license shall be responsible for requiring that all contractors performing construction work pursuant to the permit comply with the Minimum Mandatory Conditions required by this section for the duration of work on the project. If any person or entity that is subject to those Minimum Mandatory Conditions fails to comply with any of the qualifications and conditions with respect to work on the project and in addition to any other penalties or consequences provided by law, the Building Commissioner or his/her designee shall issue a stop work order with respect to all construction work on the entire project until the violation is corrected. Upon the Building Commissioner or his/her designee determining that the violation has been corrected, they shall withdraw the stop work order and construction on the project may proceed.

(D) In the event that a complaint is filed and/or brought to the attention of the Town of Highland, the Town shall conduct a complete investigation into compliance with the required Minimum Mandatory Conditions. Any documents requested by the Town from the contractor's license holder shall be produced to the Town within five (5) business days after the request. In the event that a violation is found, the contractor license holder shall forfeit the Building Permit and all fees paid to the Town. All documents shall be recorded as public documents and shall be forwarded to local, county, and state prosecuting attorneys and government officials for future investigation and/or prosecution.

(E) In the event the person or entity holding the contractor's license is found in violation of any local, state, or federal employment, wage, or tax laws or the Minimum Mandatory Conditions set forth herein, the Building Commissioner or his/her designee shall not issue a building permit or contractor's license to the person or entity for a period of five (5) years from the date of the violation. Any new contractor's license building permit issued thereafter shall require the mandatory reporting of all payroll documents including pay stubs for all

employees, payment of minimum wage, and statutory overtime, proof of payment of all required unemployment taxes, social security taxes, and state and federal income tax withholding, and proof of current workers compensation insurance coverage for the proper amount of employees on a weekly basis. All of these reporting requirements shall be for the duration of the permit.

**Section 2. Conflicting Ordinances.** Any Ordinance or any provision of any Ordinance of the Town of Highland or of the Municipal Code of the Town of Highland in conflict with the provisions of this Ordinance is hereby repealed.

**Section 3. Severability.** That invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Introduced and Filed on the 2<sup>nd</sup> day of December 2019. Consideration on same day or at same meeting of introduction sustained a vote of 3 in favor and 1 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED and ADOPTED** this 9<sup>th</sup> Day of December 2019, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Steven Wagner, **President** (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
**Clerk-Treasurer** (IC 33-42-4-1; IC 36-5-6-5; IC 36-5-2-10.2)

- 2. Resolution No 2019-59:** A Resolution Authorizing an Agreement with SITE Centers for Security Services Provided at Highland Grove Mall as a *Special Patrol Zone* Pursuant to Sections §§ 9.10.250 Through 9.10.280 of The Highland Municipal Code.

Councilor Herak moved the passage and adoption of Resolution No. 2019-59. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND, INDIANA  
RESOLUTION NO. 2019-59**

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH SITE CENTERS FOR SECURITY SERVICES PROVIDED AT HIGHLAND GROVE MALL AS A SPECIAL PATROL ZONE PURSUANT TO Sections §§ 9.10.250 through 9.10.280 of the Highland Municipal Code**

**WHEREAS,** A condition of an Operation & Easement Agreement between the Town of Highland and the SITE Centers, Inc, owner or manager of real estate known as Highland Grove Mall, prescribes security must be provided by a uniformed, licensed and bonded security guard in a marked vehicle during days the Shopping Center is open to the public; and

**WHEREAS,** The Highland Police Department initially provided security services for Highland Grove Mall pursuant to an oral agreement between the predecessor and current owner of Highland Grove Mall since the Shopping Center commenced operations;

**WHEREAS,** The Highland Police Department now provides security services for Highland Grove Mall pursuant to an agreement between the predecessor and current owner of Highland Grove Mall under the authority of an established Special Patrol Zone, authorized pursuant to Sections 9.10.250 through 9.10.280 of the Highland Municipal code; and

**WHEREAS,** The Highland Police Department desires to continue to provide these special patrol services under the established special patrol zone, subject to revised terms of a written agreement between the parties,

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA** as follows:

**Section 1.** The Highland Town Council, pursuant to Section 9.10.260 of the Highland Municipal Code, hereby finds and determines the following:

(A) That Highland Grove Mall generates significant traffic or other identifiable public safety concerns that ordinary and regular law enforcement resources may not fully address, so it would be of a public good to commit, augment or dedicate certain law enforcement resources in such location for which user fees may be charged, through the establishment of a *Special Patrol Zone, which has been established at least since 2017*;

(B) That the continuing establishment of a Special Patrol Zone will not unduly reduce or dilute regular resources or capacity of the Highland Police Department because police officers assigned to the Zone will work outside of the officer's normal working hours; and

(C) That the continuing establishment of a Special Patrol Zone serves the public safety interests of the whole town, by marshaling public safety resources to deter property crime and foster a more robust commercial economy in the Town of Highland;

(D) That SITE Centers, owner of real estate known as Highland Grove Mall, the location of the existing special patrol zone, do desire to continue this designation and the services described in the agreement approved by this resolution, remaining willing to pay the user fees associated with the special patrol zone;

**Section 2.** That the agreement or memorandum of understanding between the Town of Highland and SITE Centers, owner of real estate known as Highland Grove Mall for the establishment of and the services associated with a Special Patrol Zone incorporated by reference and made a part of this resolution is hereby approved in each and every respect;

**Section 3.** That the Town Council President and Clerk-Treasurer are hereby authorized to sign the agreement herein described.

**DULY RESOLVED and ADOPTED** this 9<sup>th</sup> Day of December 2019 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Steven Wagner, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

**Exhibit follows**

EXHIBIT



**HIGHLAND POLICE DEPARTMENT**

3315 RIDGE ROAD  
HIGHLAND, IN 46322-2097  
(219) 838-3184

PETER T. HOJNICKI, CHIEF OF POLICE



October 3, 2019

Mr. Kevin Duddleston  
Property Manager/Site Centers  
1100 South Canal Street  
Chicago, Illinois 60607

Re: Letter of Agreement for fee increase  
Highland Grove Mall Security Service

Dear Mr. Duddleston,

The purpose of this letter is to follow up on the conversation you had with Commander John Banasiak on Wednesday October 2, 2019 regarding security services provided by the Highland Police Department at the Highland Grove Mall.

The current fee for these services is \$29.50 per hour, of which the officer receives \$26.75 while the remaining \$2.75 is used to support the associated vehicle costs.

Beginning on January 1, 2020 the security rate would be increased to \$32.75 per hour, of which the officer will receive \$30.00 and the town will recoup the remaining \$2.75 for associated vehicle costs.

This will be for a three (3) year contract starting January 1, 2020 thru December 31, 2022 at this rate.

The parameters of security as outlined by this agreement will consist of a uniformed off-duty Highland Police Officer in a marked police unit to patrol the property daily from 5:00pm to 10:00pm except on the days that you determine that the Mall will be closed and not in need of our services.

This letter will serve as to authorize the Highland Police Department to enforce any traffic and/or parking issues, solicitor complaints, and other violations of criminal law on your property.

In closing, let me thank you for your willingness to work with the Town of Highland as I feel we have had a good working relationship and we desire to maintain this crime prevention service.

Please call or write if you have any questions. If you find these terms acceptable, please sign below and return a signed copy to my attention at the Highland Police Department. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Peter T. Hojnicky".

Peter T. Hojnicky, Chief of Police  
Highland Police Department

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Steven Wagner, Council President  
Town of Highland, Lake County, Indiana

Attest:

\_\_\_\_\_  
Michael W. Griffin, Clerk Treasurer

Accepted this: \_\_\_\_\_ day of \_\_\_\_\_, 2019

Site Centers

Designated by:

By: Kevin Duddleston  
Signature

Kevin Duddleston

Printed Name

Property Manager

Title

11/8/2019

Date

3. **Resolution No 2019-60:** A Resolution of the Fiscal Body of the Town of Highland Fixing the Official Faithful Performance Bond of the Municipal Fiscal Officer Pursuant to I.C. 5-4-1 Et Seq.

Councilor Kuiper moved the passage and adoption of Resolution No. 2019-60. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN of HIGHLAND  
Town Council Resolution No. 2019-60**

**A RESOLUTION of the FISCAL BODY of the TOWN of HIGHLAND FIXING the OFFICIAL FAITHFUL PERFORMANCE BOND of the MUNICIPAL FISCAL OFFICER PURSUANT to I.C. 5-4-1 et seq.**

**WHEREAS**, The Town Council of the Town of Highland serves as both the legislative and fiscal body of the municipality, all pursuant to I.C. 36-1-2-6, I.C. 36-1-1-2-9 and I.C. 36-5-2-2;

**WHEREAS**, The Clerk-Treasurer is required to file an individual surety bond conditioned on the Clerk-Treasurer's faithful performance of the duties of the office of clerk-treasurer, including the duty to comply with I.C. 35-44-1-22 pursuant to I.C. 5-4-1-18(a)(2) with such filing subject to I.C. 5-4-1-9;

**WHEREAS**, The Highland Town Council now desires to comply with the provisions of law identified herein,

**NOW, THEREFORE, BE IT ENACTED** by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That the Town Council hereby fixes the Individual surety for the clerk-treasurer for the year 2020 in the amount of Three Hundred Thousand Dollars (\$300,000);

**Section 2.** That the Town Council hereby finds and determines that the subject amount fixed for the bond is established according to the values and thresholds set forth in I.C. 5-4-1-18(e), which particularly states in pertinent part:

(A) The amount must equal thirty thousand dollars (\$30,000) for each one million dollars (\$1,000,000) of receipts of the officer's office during the last complete fiscal year before the purchase of the bond, that amount being in Fiscal Year 2018 receipts of *forty-four million, three hundred sixty-two thousand, one hundred eighty-six dollars and seventy-two cents* (\$44,362,186.72) for the purposes of the clerk-treasurer surety; and

(B) The amount may not be less than Thirty Thousand dollars (\$30,000) nor more than Three Hundred Thousand Dollars (\$300,000);

**Section 3.** That the Clerk-Treasurer be instructed and authorized to procure a surety bond pursuant to this resolution and that the proper officers take such steps as necessary to carry out the objects and purposes of this resolution;

**Section 4.** That the signature of the proper officer engrossed upon on the surety bond, shall represent the approval by the legislative body as set forth in IC 5-4-1-8(a)(6).

**DULY RESOLVED and ADOPTED** this 9<sup>th</sup> Day of December 2019, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Steven Wagner, President

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer

4. **Works Board Order No. 2019-34:** An Order for the Temporary Closing of Municipal Offices at the Municipal Building 3333 Ridge Road on Tuesday, December 31, for Year-end Fiscal and Records Administration Tasks.

Councilor Herak moved the passage and adoption of Works Board Order No. 2019-34. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**The Town of Highland  
Board of Works  
Order of the Works Board No. 2019-34**

**AN ORDER for the TEMPORARY CLOSING OF MUNICIPAL OFFICES at the MUNICIPAL BUILDING 3333 RIDGE ROAD on TUESDAY, DECEMBER 31, FOR YEAR-END FISCAL AND RECORDS ADMINISTRATION TASKS**

**Whereas**, The Town Council has been reliably advised that owing to the desire to ensure completion of several tasks associated with year-end fiscal and records administration, it may be advisable to reduce public access hours to the municipal building while maintaining a scheduled workday;

**Whereas**, Pursuant to IC 36-1-24(3), the Town Council is also the Works Board for the Town of Highland and governs the hours and other matters related to the Town Hall;

Whereas, The Town Council now desires to modify the access hours of the Highland Municipal Building on Tuesday, December 31, 2019;

**Now Therefore be it hereby Ordered** by the Town Council of the Town of Highland, Lake County, Indiana as follows:

**Section 1.** That the usual hours of **public access** at the administrative and associated offices at the Highland Municipal Building on **Tuesday, December 31**, are hereby fixed at **8:30 a.m. to 12:30 p.m. but the usual hours of operation or the scheduled workday are unchanged;**

**Section 2.** That the affected department heads and the Clerk-Treasurer shall carry out the purposes of this order, which is to provide an opportunity for in-service training for administrative, clerical and other workers of the municipality and to support year-end duties;

**Section 3.** That the Clerk-Treasurer will take steps by appropriate media release to give notice of the subject of this order;

**Section 4.** That this order shall be effective on and from its passage and adoption;

**Be it so Ordered.**

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 9<sup>TH</sup> day of December 2019, having passed by a vote of 5 in favor and 0 opposed.

WORKS BOARD of the TOWN of  
HIGHLAND, INDIANA

Steven Wagner, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

5. **Action to approve pay for employee at higher than starting pay for the range of the position, pursuant to Section 2 (a) of Ordinance No. 1691 the Wage and Salary Ordinance, as amended.**

(A) *The Operations Director requests to increase (maintain) pay for Gavin Holder, a part-time Leaf Collection worker from current pay of \$9.27 to a position of part-time laborer, at \$9.27, which has a pay range starting at \$9.00 to \$11.64 per hour.*

(B) *The Operations Director requests to increase (maintain) pay for Lake Reid, a part-time part-time Leaf Collection worker from current pay of \$9.27 to a position of part-time laborer, at \$9.27, which has a pay range starting at \$9.00 to \$11.64 per hour.*

Councilor Herak moved to approve the hourly rates to be fixed at a higher than the starting point for Gavin Holder and Lake Reid, both to be at \$9.27 per hour. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The pay rates at higher than the starting rate were approved.

6. **Action to approve appointment or employment of full-time employee, pursuant to Section §3.03 of the Compensation and Benefits Ordinance.** *Operations Director recommends the following:*

(A) *The hiring of Dylan Klocek, to the full-time position of Utility Worker B in Public Works Department (Agency) at a rate of pay of \$12.80 per hour. This will not increase the full-time workforce greater than the authorized work force strength. (Mr. Klocek was employed as a part-time worker.)*

Councilor Vassar moved to approve the appointment and employment of Dylan Klocek to the full-time position of Utility Worker B. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The appointment and employment of Dylan Klocek to the full-time position of Utility Worker B at the hourly rate stated was approved.

**Comments or Remarks from the Town Council:**  
*(For the Good of the Order)*

- **Councilor Bernie Zemen:** *Chamber of Commerce Co-Liaison • IT Liaison • Liaison to the Board of Waterworks Directors • Liaison to the Community Events Commission.*

Councilor Zemen acknowledged the Building Commissioner who offered a survey of matters pending before the Plan Commission.

**Councilor Dan Vassar:** *Liaison to the Park and Recreation Board.*

Councilor Vassar acknowledged the Parks and Recreation Superintendent who reported regarding parks and recreation programs, noting in particular the participation of over 1,200 participants for the annual Thanksgiving day running race, the Pumpkin Plod.

Councilor Vassar thanked all the departments for their hand in the successful execution of the recent Festival of Lights at Main Square.

- **Councilor Mark Herak:** *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Town Board of Metropolitan Police Commissioners, Liaison.*

Councilor Herak acknowledged the public works director, who reported on status of lead collection services.

Councilor Herak acknowledged the Police Chief, who briefly reported on the success of the "Shop with a Cop" event.

Councilor Konnie Kuiper: *• Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Fire Chief who noted that the Fire Department would be conducting "Shop with a Fire Fighter" on Saturday December 21. The Fire Chief further cautioned about the use of candles during the forthcoming Holiday Season.

- **Council President Steve Wagner:** *Town Executive • Chair of the Board of Police Pension Trustees • Advisory Board of Zoning Appeals Liaison.*

The Town Council President commended the workforce for having a workplace incident free for November.

The Council President acknowledged the Building Commissioner who offered a survey of matters pending before the Advisory Board of Zoning Appeals.

**Comments from Visitors or Residents:**

1. Jim Slagle, Highland, thanked the Town Council for its passage and adoption of Ordinance No. 1710.
2. Rose O'Connell, Highland, asked about the status of any action by the Highland Parks and Recreation Department to take steps to arrest and abate the drainage impact on her adjoining residential property.

It was noted that the Park and Recreation Board recently approved a drainage project. The Parks and Recreation Superintendent was encouraged to meet with Ms. O'Connell.

Councilor Kuiper departed from the meeting at this time owing to a work commitment.

3. Rick Volbrecht, Highland, asked for clarification regarding the agreement that was approved with the passage of Resolution No. 2019-59. It was explained that the Town established in Article III of Chapter 9.10 of the Highland Municipal Code, Special Patrol Zones. One such zone is established for the Highland Grove Shopping Center and fees are charged for special patrol services by the Police Department.
4. Larry Kondrat, Highland, noted that the Russell Development withdrew its petition before the Plan Commission related to a proposed Senior Living Development near Strack and Van Til's. Mr. Kondrat asked if this affected the improvement of Ernie Strack Drive. He further urged the Town Council to rescind any incentives granted to the developer. It was noted that the improvement to Ernie Strack Drive would only move forward if there was a development and that no incentives had been granted or finally established for the proposed development.

Mr. Kondrat further requested that the Town Council act to increase the compensation for members of the Town Council.

5. Elijah Aurand, Highland, asked about what Ordinance No. 1710 amended and what it changed. It was noted that it added the requirements that are designed to reduce or eliminate payroll tax fraud by contractors.

**Payment of Accounts Payable Vouchers.** There being no further comments from the public, Councilor Vassar moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period November 26, 2019 through December 09, 2019, as well as ratifying the payroll docket for the payday of November 22, 2019. Councilor Herak seconded. Upon a roll call vote, there were four affirmatives and no negatives, with Councilor Kuiper absent owing to the early departure for a work commitment. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified including the payroll docket, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

**Vendors Accounts Payable Docket:**

**General Fund, \$327,793.87; Motor Vehicle Highway and Street (MVH) Fund, \$18,934.14; Law Enforcement Continuing Education and Training and Supply Fund, \$535.27; Flexible Spending Account Agency Fund, \$816.24; Insurance Premium Fund, \$186,302.83; Information Communications Technology Fund, \$5,988.72; Civil Donation Fund, \$584.70; Municipal Cumulative Capital Development Fund, \$8,051.45; Traffic Violations and Law Enforcement Agency Fund, \$3,500.00; Gaming Revenue Sharing Fund, \$27,362.26; Corporation Capital Fund, \$637,000.00; Community Crossings Grant Fund, \$478,516.99; Economic Development Local Income Tax Fund, \$3680.00; Total: \$1,699,066.47.**

**Payroll Docket for payday of November 22, 2019:**

**Council, Boards and Commissions, \$8,440.06; Office of Clerk-Treasurer, \$18,217.09; Building and Inspection Department, \$8,816.85; Metropolitan Police Department,**

\$116,402.31; **Fire Department**, \$3,898.34; **Public Works Department (Agency)**, \$69,136.02; and **Police Pension**, \$69,593.17. **Total Payroll: \$294,503.84.**

**Adjournment of Plenary Meeting.** Councilor Vassar moved that the plenary meeting be adjourned. Councilor Herak seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, December 09, 2019 was adjourned at 7:15 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer

Approved by the Town Council at its meeting of \_\_\_\_\_, 2019.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer